and that the facts set forth in the foregoing petition are true and correct to the best of his knowledge, information and belief.

(s.) THOMAS D. McBRIDE.

Sworn to and subscribed before me this 1st day of May, 1950.

(s.) BETTY ESSNER,
Notary Public.

My Commission Expires January 27, 1953. [SEAL.]

Endorsement: In the Supreme Court of Pennsylvania, Eastern District No. 302, Miscellaneous Docket No. 9—Commonwealth, ex rel. James Smith v. Stanley P. Ashe, Warden, Western State Penitentiary and Dr. Frederick S. Baldi, Superintendent, Philadelphia County Prison—Petition for Order Directed to the Clerk of the Court of Quarter Sessions, or Oyer and Terminer and General Jail Delivery of Philadelphia County—Filed in Supreme Court May 1, 1950. Philadelphia—Thomas D. McBride, Esq., 1529 Walnut Street, 5th Floor Philadelphia 2, Pa.

IN THE SUPREME COURT OF PENNSYLVANIA
EASTERN DISTRICT

Miscellaneous Docket No. 9

No. 302

COMMONWEALTH EX REL. JAMES SMITH

vs.

STANLEY P. ASHE, Warden, Western State Penitentiary, and DR. FREDERICK S. BALDI, Superintendent Philadelphia County Prison

PRAECIPE

To the Prothonotary of the Supreme Court:

Please certify for the Supreme Court of the United States true and accurate copies of the following:

1. Printed record in Commonwealth vs. James Smith, January Term, 1949, No. 137, as used for argument in this Court.

2. Docket Entries subsequent to March 18, 1950.

3. Petition for order directed to Clerk of Court of Quarter Sessions or Oyer and Terminer and General Jail Delivery directing him to send certain papers to Supreme Court, with order.

4. Bill of indictment Number 384, Philadelphia County, February Sessions, 1948.

5. Docket Entries, Court of Oyer and Terminer, Philadelphia County, February Sessions, 1948.

6. Petition filed on March 19, 1948 with Court of Quarter Sessions, Philadelphia County.

7. Petition of Herbert S. Levin to withdraw as counsel in Court of Oyer and Terminer, Philadelphia County.

(s.) THOMAS D. MCBRIDE,
Counsel for Relator.

Endorsement: No. 302 Miscl. Docket No. 9—Commonwealth ex rel. James Smith vs. Stanley P. Ashe, Warden Western State Penitentiary and Dr. Frederick S. Baldi, Superintendent Philadelphia County Prison.—Praecipe for Certification of Additional Papers—Filed in Supreme Court May 5, 1950, Philadelphia.

COMMONWEALTH OF PENNSYLVANIA,
Supreme Court, Eastern District, ss:

I, CHARLES A. WATERS, Prothonotary of the Supreme Court of Pennsylvania, in and for the Eastern District thereof, the said Court being a Court of Record, do hereby certify that the foregoing is a true and correct copy of the whole and entire

Printed Record, as used at the time of the argument before the Supreme Court of Pennsylvania in the case of Commonwealth vs. James Smith, No. 137, January Term, 1949;

Photostatic Copy of Indictment No. 384 February Sessions, 1948;

Copy of Docket Entries in the Court of Oyer & Terminer and General Jail Delivery and Quarter Sessions of the Peace, County of Philadelphia;

Copy of Petition Under Mental Health Act of 1923, as Amended for Admission of Defendant to a Mental Hospital;

Copy of Petition of Herbert S. Levin to withdraw as Counsel for Defendant in the Court of Oyer & Terminer of Philadelphia County; Copy of Petition for Order Directed to Clerk of Court of Quarter Sessions, Directing Him to Send Certain Papers to the Supreme Court of Pennsylvania, with Order Attached; Docket Entries in the Supreme Court of Pennsylvania Subsequent to March 18, 1950; Praecipe for Certification in the case of

Commonwealth ex rel James Smith *vs.* Stanley P. Ashe, Warden, Western State Penitentiary, and Dr. Frederick S. Baldi, Superintendent Philadelphia County Prison, at No. 302 Miscellaneous Docket No. 9, as full, entire and complete as the same remains on file in the said Supreme Court in the case there stated.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the said Court, at Philadelphia, in the County of Philadelphia, in the said Eastern District of Pennsylvania, this eighth day of May in the year of our Lord One Thousand Nine Hundred and Fifty.

Charles A. Waters,
Prothonotary.

I, James B. Drew, Chief Justice of the Supreme Court of Pennsylvania, do hereby certify, That Charles A. Waters was, at the time of signing the annexed attestation, and now is, Prothonotary of the said Supreme Court of Pennsylvania, in and for the Eastern District, to whose acts, as such, full faith and credit are and ought to be given; and that the said attestation is in due form.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 8th day of May one thousand nine hundred and Fifty.

JAMES B. DREW,
Chief Justice of the Supreme Court of Pennsylvania.

I, CHARLES A. WATERS, Prothonotary of the Supreme Court of Pennsylvania, in and for the Eastern District, Do Certify, that the Honorable James B. Drew by whom the foregoing Certificate was made and given, was, at the time of making and giving the same and is now, Chief Justice of the Supreme Court of Pennsylvania; to whose acts as such, full faith and credit are and ought to be given, as well in Courts of Judicature as elsewhere; and that his signature, thereto subscribed, is genuine.

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of the said Supreme Court of Pennsylvania, in and for the Eastern District, at Philadelphia, this 8th day of May, one thousand nine hundred and fifty.

CHARLES A. WATERS,
Prothonotary,
Supreme Court of Pennsylvania, Eastern District